

August 6, 2020

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach

California

RECOMMENDATION:

Find the proposed vacation of Via Alcalde Avenue in conformance with the adopted goals and policies of the City's General Plan (GPCC19-002) (District 8).

APPLICANT: Jeffrey Pierson for Intex Corp.
4001 Via Oro Avenue
Long Beach, CA 90810
(Application No. 1805-03)

DISCUSSION

The applicant requests a finding of conformance with the General Plan of the City of Long Beach for the vacation of Via Alcalde Avenue between West Carson Street and Via Plata Street. Via Alcalde Avenue is a north-south vehicular public street approximately 58 feet wide, located directly east of an approximately 20-acre vacant development site owned by the applicant (Intex), and directly west of the I-710 Long Beach Freeway (Exhibit A - Vicinity Map), making Via Alcalde Avenue essentially a frontage road between the freeway and the development site. The applicant requests the City to vacate essentially the entire segment of Via Alcalde Avenue, with a length of roughly 1,300 feet (Exhibit B - Vacation Legal Exhibits). This vacated right-of-way would then be merged to the applicant's property and become part of the site.

The applicant currently is pursuing the vacation application with the Public Works Department, which process requires the requested General Plan Conformity Finding before it may proceed further. The applicant previously has submitted a Conceptual Site Plan Review (CSPR) application to the Planning Bureau for the development of a fulfillment center and corporate office totaling approximately 510,000 square feet on the development site (Exhibit C – Conceptual-only Development Plans). This CSPR application has been reviewed and commented on by the Planning Bureau, and the applicant must either obtain the requested vacation, or revise the proposed development plan to include the Via Alcalde right-of-way in the site plan before the development proposal can proceed further.

The development site, addressed as 4000 Via Oro Avenue, currently has street access on four sides: from Via Oro Avenue on the west, Via Plata Street on the north, the subject Via Alcalde



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Avenue on the east, and West Carson Street on the south. The development site is composed of six lots, Lots 8, 9, 10, 11, 12, and 13 (Parcels 33, 18, 19, 20, 21, and 22,) one of which (Lot 12/Parcel 21) would become landlocked if Via Alcalde were vacated. For that reason, a Lot Merger will be required, to merge all six lots of the development site, following approval of this General Plan Conformity Finding, and prior to finalization of vacation proceedings by the Public Works Department. With the Lot Merger completed, Via Alcalde Avenue will not be required for any access to the development site, and does not provide access to any other property, and therefore would not be required for public purposes. Following successful completion of the Lot Merger and vacation, the proposed development will come before the Planning Commission for a Site Plan Review entitlement.

The Via Alcalde right-of-way in question abuts the I-710 Long Beach Freeway. Portions of the Via Alcalde right-of-way may be required for future expansion of the I-710 freeway as part of the I-710 Corridor Project, which is being undertaken by Metro (LACMTA), Caltrans, the Gateway Cities Council of Governments, the I-5 Consortium Cities Joint Powers Authority, the Port of Long Beach, the Port of Los Angeles, and the Southern California Association of Governments. The current design of the I-710 Corridor Project has been in the planning and CEQA/environmental report stages since June 2012, and it was anticipated that the CEQA process would be concluded in Spring 2020, with initial work potentially beginning in Summer 2020. The project contains multiple alternatives, some of which would require a portion of the Via Alcalde right-of-way for freeway expansion, and some of which would not. It is not currently known which alternative will be selected. As a condition of the vacation of Via Alcalde Avenue, the City's Public Works Department will require the applicant to agree, via an appropriate legal instrument, to retrocede all or part of the vacated right-of-way at no cost to the City if it is required for the I-710 Corridor Project. The applicant has agreed to this condition, which will be finalized prior to City Council approval of the vacation (Exhibit D – Conditions of Approval). The applicant's site plan for the development site also is designed to reflect this possibility, with the Via Alcalde vacation portion of the site plan used only for automobile parking, and truck trailer and chassis parking, turning, and storage. Additionally, the project will meet code-required minimums for all development standards without the Via Alcalde vacation included in the site plan, in case that area of the site is to be retroceded.

GENERAL PLAN CONSISTENCY FINDINGS

Before an application for the vacation of public right-of-way can go before the City Council, a finding of conformity with the maps and policies of the Long Beach General Plan must be made by the Planning Commission. The General Plan consists of thirteen (13) elements; each element carries the same authority concerning land use issues. Staff reviewed this project's conformance with all elements of the General Plan, and the proposed vacation was found to be in conformance with all applicable elements. A review of the relevant elements and specific General Plan consistency findings are presented below.

Land Use Element

The Land Use Element (LUE) divides the City into 14 land use districts, which provide general guidance as to the appropriate type and density of land uses. Via Alcalde Avenue and the development site are located within the Industrial (I) PlaceType of the LUE. The LUE states that the Industrial PlaceType is intended for industrial uses and activities; this includes the

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warehousing and logistics-type use that is being considered by the developer for this site. The vacated Via Alcalde Avenue right-of-way will become part of the development site under the same LUE PlaceType and home to the same land uses.

According to the LUE, a subdivision approval (which category would include the proposed vacation) is considered consistent with the LUE when the density of the proposed subdivision meets the PlaceTypes commercial/industrial intensity. In this case, the vacation of the public street to become part of the development site would be consistent, as the intensity of the proposed development is consistent with the LUE. While the development project has not yet been submitted for entitlements, through the Conceptual Site Plan Review it has been preliminarily found consistent, and any development to be recommended for approval will be required to be consistent with the LUE. Further, the LUE states that a development project is considered consistent when the proposed development carries out the policies of the LUE and fulfill the intent of the PlaceType density and intensity levels. Again, while the development project itself has not yet been submitted for entitlements, it has been preliminarily found to be consistent in concept. Therefore, approval of the vacation of Via Alcalde Avenue, which would then become part of the future development site, is consistent with the Land Use Element of the General Plan.

Mobility Element

The City's Mobility Element is aimed at transforming Long Beach into a city of flexible, convenient, affordable, and energy-efficient transportation options for residents and visitors alike. The public street to be vacated has been found by the Department of Public Works as no longer necessary for present or prospective public use or convenience. Existing rights-of-way (Via Oro Avenue, Via Plata Street, and West Carson Street) provide adequate vehicular and pedestrian access to the development site. Vacation of Via Alcalde Avenue would therefore not prove detrimental to the movement of people and goods to the subject site, and Via Alcalde Avenue provides no through traffic or connectivity to any other property. In the event that all or part of the Via Alcalde right-of-way is needed for the I-710 Corridor Project, the terms of the City Council's approval of the vacation will require the applicant to retrocede the needed right-of-way at no cost to the City.

PUBLIC HEARING NOTICE

A General Plan Conformity Certification does not require a public hearing or public noticing. However, the Department of Public Works conducts a public notification for the vacation in accordance with State law, as the vacation is processed.

ENVIRONMENTAL REVIEW

This action to make a finding of conformance with the General Plan is not a project under the California Environmental Quality Act (CEQA), per Section 15378 of the CEQA Guidelines, and no environmental review is required. Separate CEQA review will be required for any development proposal that moves forward at this site.

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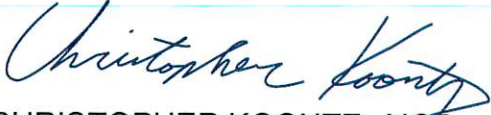
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Respectfully submitted,



SCOTT KINSEY, AICP
PLANNER



CHRISTOPHER KOONTZ, AICP
DEVELOPMENT SERVICES DEPUTY DIRECTOR



OSCAR W. ORCI
DEVELOPMENT SERVICES DIRECTOR

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Attachments:

Planning Commission Resolution
Exhibit A – Vicinity Map
Exhibit B – Vacation Legal Exhibits
Exhibit C – Conceptual-only Development Plans
Exhibit D – Conditions of Approval